

REVISED

ITEM 17: REQUESTED TO BE PULLED FROM THE AGENDA BY CITY MANAGER.

ITEM 18: TITLE - Public Hearing: Resolution of Support for Low Income Housing Tax Credit Application, Keystone Apartments. (District III)

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
9:00 A.M., August 16, 2005

City Council Chambers
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation
- Pledge of Allegiance
- Approve the minutes of the August 9, 2005 regular meeting.

AWARDS AND PROCLAMATIONS

- Proclamations

PUBLIC AGENDA

1. Marydel Grayum-Progress Report for the ProKS/Miller Recycling Center's first year of operation.
2. James Joe-Concerned Citizen that is troubled by the political activism toward the same status quo pro-government ideology and policies put forth by this body.
3. Dan Brooks, District Judge-Downtown transportation and the new arena.

CONSENT AGENDA

4. Report of the Board of Bids and Contracts Dated August 15, 2005.

RECOMMENDED ACTION: Receive and file report; approve Contracts;
authorize necessary signatures.

5. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2005</u>	<u>(Consumption on Premises)</u>
Paul A. Oropesa	L.W. Clapp Municipal Golf Course*	4611 East Harry
Armando De Santiago	El Perron II*	3824 East Harry
Heather L. Soria	Cholita's Mexican Restaurant Inc.*	8987 West Central
<u>Renewal</u>	<u>2005</u>	<u>(Consumption off Premises)</u>
Stan Edde	Falley's Inc DBA Food 4 Less #18	6727 West Central
Stan Edde	Falley's Inc, DBA Food 4 Less #23	2141 South Meridian Street
Stan Edde	Falley's Inc, DBA Food 4 Less #38	640 North West Street
Stan Edde	Falley's Inc, DBA Food 4 Less #37	3020 East Douglas
John F. Boyd	Osco Drug Store #5111	2323 North Amidon
John F. Boyd	Osco Drug Store # 5135	4035 East Harry Street
John F. Boyd	Osco Drug Store # 5132	2501 South Seneca
<u>New Establishment</u>	<u>2005</u>	<u>(Consumption on Premises)</u>
German Granados	Usulutcco Restaurant*	1714 East Northern

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review
and approval.

6. Preliminary Estimates:

- a) 2005-2006 CDBG Street, Curb, Gutter and Sidewalk Improvements (Concrete Repairs) (north of 11th Street North, east of Washington) (472-84162/92005/800502) Traffic to be maintained during construction using flagpersons and barricades. (District I) - \$257,830
- b) 2005 Sanitary Sewer Rehab Phase D (various locations) (468-84028/620439/665559) Traffic to be maintained during construction using flagpersons and barricades. (District I, II, III, IV, VI) - \$263,000

RECOMMENDED ACTION: Receive and file.

7. Petitions for Public Improvement: Petition and Supplemental Design Agreement for a Storm Water Drain in The Waterfront Addition, north of 13th Street, east of Webb. (District II)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

8. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures.

9. Agreements/Contracts:

- a) Water Master Plan. - Supplemental Agreement.
- b) 29th Street North, Tyler to Ridge. (District V)-Supplemental.
- c) Street Resurfacing Project on Kellogg, from the Kansas Turnpike crossing east of Webb to the east city limits. (District II)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

10. Design Services Agreements

- a) 1st and 2nd Street East Drainage Outfall. (District I)
- b) Regency Park Third Addition, south of 29th Street North, west of Greenwich. (District II)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

11. Property Acquisition: 2348 South Greenwood Street for Pawnee Widening Improvement Project from Washington to Hydraulic. (District III)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

12. Fidelity Bank Resolutions and Collateral Agreement.

RECOMMENDED ACTION: Approve the resolution and collateral agreement and authorize the Mayor to sign.

13. Second Reading Ordinances: (First read August 9, 2005)

- a) Improvement of Oliver, Harry to Kellogg. (District III)

An Ordinance amending Ordinance No. 46-172 of the City of Wichita, Kansas declaring Oliver, between Harry and Kellogg (472-84018) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

- b) Sidewalk repair. (Districts I, III, IV, V, VI)

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas.

(Item 13 continued)

c) Schedule of rates and charges for water service.

An Ordinance amending Section 17.12.090 of the Code of the City of Wichita, Kansas, pertaining to schedule of rates and charges for water service, and repealing the original of said Section.

d) Schedule of rates for users of the sanitary sewer system.

An Ordinance amending Section 16.14.040 of the Code of the City of Wichita, Kansas, relating to the schedule of rates for users of the sanitary sewer system, and repealing the original of said Section.

e) ZON 2004-62 - west of Tyler and south of Kellogg. (District IV)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210. (ZON 2004-62)

RECOMMENDED ACTION: Adopt Ordinances.

UNFINISHED BUSINESS

14. Water Supply Plan-Modified.
(continued October 3, 2000)

RECOMMENDED ACTION: 1) Receive and file the operations Modeling and Economic Evaluation; 2) approve the modification of the Integrated Local Water Supply Plan; 3) approve the Expenditures; 4) adopt the Resolution and 5) authorize the necessary signatures.

NEW BUSINESS

15. Amendment of Industrial Revenue Bond Documents, Buttonwood Tree Apartments. (District II)

In April 2002, the City Council approved the issuance of its Multi-Family Housing Revenue Bonds in the amount of \$7,750,000 for the purpose of acquiring and rehabilitating an existing 216-unit apartment project known as Buttonwood Tree Apartments, located at 9211 East Harry in southeast Wichita.

RECOMMENDED ACTION: Place the ordinance approving the requested amendments on first reading and authorize the necessary signatures.

16. Improvement to Intersection of Ridge at Maple. (District V)

The 2005-2014 Capital Improvement Program adopted by the City Council includes a project to improve the intersection of Ridge at Maple. District V Advisory Board sponsored a May 3, 2004 neighborhood hearing on the project.

RECOMMENDED ACTION: Approve the project; place the ordinance on first reading and authorize the signing of State/Federal agreements as required.

THIS ITEM WAS PULLED FROM THE AGENDA

17. Petition to construct a Sanitary Sewer to serve an area located north of 31st Street North, east of Hood. (District VI)

Previously read: Public **Housing:** Resolution of Support for Low Income Housing Tax Credit Application, Keystone Apartments. (District III)

18. **Public Hearing: Resolution of Support for Low Income Housing Tax Credit Application, Keystone Apartments.** (District III)

The City received a request from Midwest Ventures, LLC (Midwest), for a City Council resolution of support for its application for Low-Income Housing Tax Credits in connection with the renovation of the Keystone Apartments.

RECOMMENDED ACTION: Close the public hearing; adopt the resolution of support for the Midwest application for Low-Income Housing Tax Credits and authorize the necessary signatures.

19. Public Hearing: Resolution of support for Low Income Housing Tax Credit Application, Windridge Apartments. (District IV)

The City has received a request from Michaels Development Company (MDC) for a City Council resolution of support for its application for Low-Income Housing Tax Credits in connection with the acquisition and renovation of the Windridge Apartments.

RECOMMENDED ACTION: Close the public hearing; adopt the resolution of support for the MDC application for Low-Income Housing Tax Credits with waiver of the 20% market-rate requirement and authorize the necessary signatures.

20. Special Liquor Tax Fund Allocations.

At its May 24, 2005 workshop, the City Council received a presentation on Special Liquor Tax issues and programs. Based upon the workshop discussion, staff will continue to utilize the Special Liquor Tax Coalition to assess needs and make funding recommendations to the City Council on both prevention and treatment programs that serve various age, ethnic and gender groups.

RECOMMENDED ACTION: Approve 2005/2006 funding allocations; approve development of provider contract/contract renewals based on those allocations and authorize necessary contract signatures and budget transfers.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

21. *ZON2005-00028-Zone Change to Limited Commercial and amendment to Protective Overlay #11 on property zoned General Office. Generally located north of Maple and west of 135th Street West. (District V)

RECOMMENDED ACTION: 1) Concur with the findings of the MAPC and Approve the first reading of the ordinance Establishing the zone change to Limited Commercial and amending P-0 #11; or
2) Return the application to the MAPC for reconsideration.

22. *VAC2005-00024-Request to vacate the restriction of uses in Reserve E for Forest Lakes West Addition, generally located north of 29th Street North and east of Tyler Road. (District V)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

23. *VAC2005-00025-Request to vacate a portion of public street right-of-way, generally located on the north side of 55th Street South and west of the Wichita-Valley Center Floodway easement. (county)

RECOMMENDED ACTION: Approve the Vacation Order and authorize the necessary signatures.

24. *SUB2003-84-Plat of Twin Lakes Addition, located on the south side of 21st Street North and on the east side of Amidon. (District VI)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures; adopt the Resolutions and place the ordinance on first reading.

25. *SUB2005-12-Plat of Falcon Falls Second Addition, located north of 45th Street North and west of Hillside. (District I)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the Resolutions.

26. *SUB2005-52-Plat of Prairie Breeze Estates Addition, located on the north side of 39th Street South and west of Webb Road. (county)

RECOMMENDED ACTION: Approve the document and plat; authorize the necessary signatures and adopt the Resolutions.

27. *SUB2005-53-Plat of Remington Place Fourth Addition, located south of 21st Street North and east of Webb Road. (District II)

RECOMMENDED ACTION: Approve the documents and plat and authorize the necessary signatures.

28. *SUB2005-64-Plat of Tyler's Landing Third Addition, located on the south side of 37th Street North and east of Tyler Road. (District V)

RECOMMENDED ACTION: Approve the documents and plat; authorize the necessary signatures and adopt the Resolutions.

29. *DED2005-20-Dedication of Street Right-of-Way, located south of Central and west of 127th Street East. (District II)

RECOMMENDED ACTION: Accept the dedication.

30. *DED2005-21-Dedication of a Utility Easement and DED2005-22; Dedication of Street Right-of-Way for property located on the north side of 21st Street North and west of Hillside. (District I)

RECOMMENDED ACTION: Accept the dedication.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.
*Consent items

31. *Supplemental Agreement No. 6-Skycap Services.

RECOMMENDED ACTION: Approve the supplemental agreement and authorize the necessary signatures.

32. *Payment of Condemnation Award, Case No. 05 CV 686, Mid Continent Airport Runway Protection. (District IV)

RECOMMENDED ACTION: Authorize payment to the Clerk of the District Court in the amount of \$1,677,111.00 for acquisition of property interests condemned in Case No. 05 CV 686.

33. *6916 West Montezuma for Wichita Mid-Continent Airport.

RECOMMENDED ACTION: 1) Approve the Budget; 2) Adopt the resolution; 3) Approve the acquisition and 4) Authorize the Mayor to sign the necessary documents.

CITY COUNCIL

34. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

Adjournment